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13 **UNITED STATES DISTRICT COURT**
14 **SOUTHERN DISTRICT OF CALIFORNIA**

15 OUTERBRIDGE ACCESS
16 ASSOCIATION, SUING ON BEHALF OF
17 DIANE CROSS; and DIANE CROSS, An
18 Individual,

19 Plaintiff,

20 vs.

21 MARIE CALLENDER'S PIE SHOPS,
22 INC. d.b.a. MARIE CALLENDER'S #254;
23 PACIFIC BAGELS, LLC d.b.a.
24 BRUEGGARS BAGELS; COURTYARD
25 HOLDINGS, LP; PSS PARTNERS, LLC;
26 AND DOES 1 THROUGH 10, Inclusive,

27 Defendants.

Case No. 07-CV-2129 BTM (AJB)

**APPENDIX OF FOREIGN
AUTHORITIES CITED IN SUPPORT
OF DEFENDANTS' MOTION FOR
ORDER DECLINING
SUPPLEMENTAL JURISDICTION**

*[Notice of Motion, Memorandum of Points
and Authorities, and Request for Judicial
Notice filed concurrently herewith]*

Date: March 28, 2008

Time: 11:00 a.m.

Ctrm: 15

****Per Chambers, no oral argument unless
required by the court.***

Complaint Filed: November 7, 2007

Trial Date: None Set

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1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Defendant Marie Callender's Pie Shops, Inc. d.b.a. Marie Callender's #254
3 attaches a copy of the following foreign authorities cited in support of its Motion for
4 Order Declining Supplemental Jurisdiction:

- 5 1. Cross v. Plaza Park Inv., L.P., 2007 WL 951772 * 6 (S.D. Cal. 2007);
- 6 2. Gunther v. Lin, 50 Cal. Rptr. 317 (2006);
- 7 3. Morgan v. American Stores Co., LLC, 2007 WL 1971945 * 2 (S.D. Cal.
8 2007);
- 9 4. Oliver v. GMRI, Inc., 2007 WL 4144995 (S.D. Cal. 2007);
- 10 5. Pinnock v. Java Depot, Inc., 2007 WL 2462106 (S.D. Cal. 2007);
- 11 6. Pinnock v. Solana Beach Do it Yourself Dog Wash, 2007 WL 1989635 * 3
12 (S.D. Cal. 2007).

13
14 Dated: January 29, 2008

CALL, JENSEN & FERRELL
A Professional Corporation
SCOTT J. FERRELL
LISA A. WEGNER

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18 By: /s/Lisa A. Wegner
19 Attorneys for Defendant Marie Callender's
20 Pie Shops, Inc. d.b.a. Marie Callender's #254
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CERTIFICATE OF SERVICE

(United States District Court)

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 610 Newport Center Drive, Suite 700, Newport Beach, CA 92660.

On January 30, 2008, I have served the foregoing document described as **APPENDIX OF FOREIGN AUTHORITIES CITED IN SUPPORT OF DEFENDANTS' MOTION FOR ORDER DECLINING SUPPLEMENTAL JURISDICTION** on the following person(s) in the manner(s) indicated below:

SEE ATTACHED SERVICE LIST

☒ (BY ELECTRONIC SERVICE) I am causing the document(s) to be served on the Filing User(s) through the Court's Electronic Filing System.

☐ (BY MAIL) I am familiar with the practice of Call, Jensen & Ferrell for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business. On this date, a copy of said document was placed in a sealed envelope, with postage fully prepaid, addressed as set forth herein, and such envelope was placed for collection and mailing at Call, Jensen & Ferrell, Newport Beach, California, following ordinary business practices.

☐ (BY OVERNIGHT SERVICE) I am familiar with the practice of Call, Jensen & Ferrell for collection and processing of correspondence for delivery by overnight courier. Correspondence so collected and processed is deposited in a box or other facility regularly maintained by the overnight service provider the same day in the ordinary course of business. On this date, a copy of said document was placed in a sealed envelope designated by the overnight service provider with delivery fees paid or provided for, addressed as set forth herein, and such envelope was placed for delivery by the overnight service provider at Call, Jensen & Ferrell, Newport Beach, California, following ordinary business practices.

☐ (BY FACSIMILE TRANSMISSION) On this date, at the time indicated on the transmittal sheet, I transmitted from a facsimile transmission machine, which telephone number is (949) 717-3100, the document described above and a copy of this declaration to the person, and at the facsimile transmission telephone numbers, set forth herein. The above-described transmission was reported as complete and without error by a properly issued transmission report issued by the facsimile transmission machine upon which the said transmission was made immediately following the transmission.

☐ (BY E-MAIL) I transmitted the foregoing document(s) by e-mail to the addressee(s) at the e-mail address(s) indicated.

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2 [X] (FEDERAL) I declare that I am a member of the Bar and a registered Filing User
3 for this District of the United States District Court.

4 I declare under penalty of perjury under the laws of the United States of America
5 that the foregoing is true and correct, and that this Certificate is executed on January 30,
6 2008, at Newport Beach, California.

7 s/Lisa A. Wegner
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Association, Suing on Behalf of
Diane Cross and Diane Cross, An
Individual**